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Governor Jan Brewer Praises Court's Decision in ObamaCare Lawsuit

11th Circuit Court of Appeals Rules Key Part of Health Care Plan Unconstitutional

PHOENIX – Governor Jan Brewer today applauded the 11th U.S. Circuit Court of Appeals in Atlanta for its decision to declare a key provision of President Obama's health care law unconstitutional. In January, U.S. District Judge Roger Vinson ruled that the individual mandate requirement – which requires that all Americans purchase health insurance by 2014 or pay a penalty – is unconstitutional. Today, the 11th Circuit Court of Appeals upheld that decision.

"Today's decision is a victory for federalism and individual liberty. This decision represents a major triumph for the people of Arizona and the other 25 states that have joined together in challenging ObamaCare," said Governor Brewer. "All Americans share a desire for affordable, accessible health care. But the unprecedented and heavy-handed provision of this law imposing mandates, penalties and burdensome bureaucracy over personal freedom and the private marketplace was rightfully struck down because it conflicts with the very principles upon which our great nation was founded. I am confident today's legal victory will not be our last as the State of Arizona, along with the other states involved, continues the legal fight to have this wrongheaded approach to health care reform permanently overturned."

In its decision, the 11th Circuit Court of Appeals – in an opinion written by Chief Judge Joel Dubina – ruled that the individual mandate is "unprecedented," "breathhtaking in its expansive scope" and an economic mandate "imposed upon [individuals] by the federal government." Accordingly, the Court found that the mandate "exceeds Congress' enumerated power and is unconstitutional," because otherwise it would be a "potentially unbounded assertion of congressional authority."

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